



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

**NOTICE OF ALLOWANCE AND ISSUE FEE DUE**

LMS1/0412

LALITA P WILLIAM  
BRINKS HOFER GILSON AND LIONE  
NBC TOWER SUITE 3600  
P O BOX 10395  
CHICAGO IL 10395

APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
08/868,200	06/03/97	029	PATEL, J	2765 04/12/99
First Named Applicant GARBER, 35 USC 154(b) term ext. = 0 Days.				

TITLE OF INVENTION SYSTEM AND METHOD FOR TRADING HAVING A PRINCIPAL MARKET MAKER

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
2 8406/4	705-037.000	R67	UTILITY	YES	\$605.00	07/12/99

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.**

**THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.**

**HOW TO RESPOND TO THIS NOTICE:**

**I. Review the SMALL ENTITY status shown above.**

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
- B. If the status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or
- B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.

**II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B Issue Fee Transmittal should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "4b" of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.**

**III. All communications regarding this application must give application number and batch number. Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.**

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

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## UNITED STATES DEPARTMENT OF COMMERCE

## Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
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English Patent

2765

APPLICATION NO. 02/000,200	FILING DATE 06/03/97	FIRST-NAMED INVENTOR GARBER	ATTORNEY DOCKET NO. H 8406/4
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LM51/0412

EXAMINER

PATEL, J

ART-UNIT

PAPER NUMBER

2765

12

DATE MAILED: 04/12/99

**Please find below and/or attached an Office communication concerning this application or proceeding.**

Commissioner of Patents and Trademarks

A SHORTENED STATUTORY PERIOD FOR COMPLYING WITH THE REQUIREMENTS NOTED BELOW IS SET AT FIFTEEN (15) MONTHS FROM THE DATE MAILED by this Office. Failure to timely comply will result in ABANDONMENT of this application. Failure to comply may be noted under the provisions of 37 CFR 1.55.

While the attached EXAMINER'S AMENDMENT/NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient, a SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

☒ Applicant MUST submit NEW FORMAL DRAWINGS

because the original filed drawings were considered by applicant to be informal.

☒ Drawing charges required by the Notice of Informal Patent Drawing Review, PTO-648, attached hereto, or PTO Form 100.

☒ Drawing changes required by the examiner's comment on the drawing, dated 4/1/98, which has been approved by the examiner.

☐ Drawing changes required by the attached Examiner's Amendment/Comment.

Identifying marks such as the application number (see 37 CFR 1.84(i)) should be written on the reverse side of the drawings. The drawings should be filed as a separate piece with the transmittal letter addressed to the Official Draftsperson.

Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s) \_\_\_\_\_

☐ Notice of Draftsperson's Patent Drawing Review, PTO-648

☐ Notice of Informal Patent Application, PTO-152

☐ Interview Summary, PTO-413

☐ Examiner's Amendment/Comment

☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

☒ Examiner's Statement of Reasons for Allowance

# Notice of Allowability

Application No.  
08/868,200

Applicant(s)  
Howard B. Garber

Examiner  
Jagdish Patel

Group Art Unit  
2765



All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

☒ This communication is responsive to 3-23-99

☒ The allowed claim(s) is/are 14-21, 23, 26-32, and 37-48

☐ The drawings filed on \_\_\_\_\_ are acceptable.

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE **THREE MONTHS** FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

☒ Applicant MUST submit NEW FORMAL DRAWINGS

☐ because the originally filed drawings were declared by applicant to be informal.

☒ including changes required by the Notice of Draftsperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. 4

☒ including changes required by the proposed drawing correction filed on Oct 1, 1998, which has been approved by the examiner.

☐ including changes required by the attached Examiner's Amendment/Comment.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

## Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

☐ Interview Summary, PTO-413

☐ Examiner's Amendment/Comment

☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

☒ Examiner's Statement of Reasons for Allowance

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**DETAILED ACTION**

***Response to Amendment***

1. This communications is in response to applicant's amendment filed on 3-23-99.
2. In response to the amendment, claims 1-13, 24, 25, 33-36, and 49-55 have been canceled.
3. Amendments to claims 14,23,26-32,37,41 and 45 have been entered.
4. In response to the amendment 35 USC §112 rejection of claim 27 and objection to claims 26-32 have been withdrawn.
5. The application having been allowed, formal drawings are required in response to this Office action.

***Allowable Subject Matter***

6. Claims 14-21, 23, 26-32 and 37-48 are allowed.

The following is an examiner's statement of reasons for allowance:

7. Claims 14-21 are allowed because prior art fails to teach a principal market maker/rolling spot system for trading currency futures comprising a principal market

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maker futures computer operative to receive and automatically execute primary currency futures purchase orders and maintain a currency futures bid and offer market, a principal market maker options computer operative to receive and automatically execute secondary currency futures purchase orders and maintain a currency futures bid and offer market, and a bi-directional communication link coupled between the futures and options computers as recited in claim 14.

8. Claims 23 is allowed because prior art fails to teach a principal market maker system for trading commodities comprising a principal market maker futures computer, a principal market maker options computer and a bi-directional communications link as recited in claim 23.

9. Claim 26-32 are allowed because prior art fails to teach an electronic market for trading commodities comprising a principal market maker options computer and a principal market maker computer coupled to a financial institution via communications interface to transmit commodity bids and offers wherein the principal market maker computer executes trades and maintains a market for commodity trades

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10. Claims 37-40 are allowed because prior art fails to teach a computerized method having a principal market maker computer for maintaining a market for publicly traded currency futures as recited in claim 37 including steps of automatically matching and executing the primary currency futures market.

11. Claims 41-48 are allowed because prior art fails to teach or suggest a computerized method having a principal market maker computer for maintaining a market for publicly traded currency futures as recited in claim 41 and 45 including steps of automatically matching and executing the primary currency futures purchase orders to maintain a currency futures market and automatically matching and executing the secondary currency futures purchase order to maintain a currency futures options market in response to a primary currency and a secondary currency futures purchase orders as recited in claims 41 and 45.

12. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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*Conclusion*


13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jagdish Patel whose telephone number is (703) 308-7837. The examiner can normally be reached Monday-Thursday from 8:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allen MacDonald, can be reached at (703) 305-9708.

The fax number for Formal or Official faxes to Technology Center 2700 is (703) 308-9051 or 9052. Draft or Informal faxes for this Art Unit can be submitted to (703) 305-3988.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

JNP  
April 6, 1999



ALLEN R. MACDONALD  
SUPERVISORY PATENT EXAMINER